IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 605 (MS) OF 2006

Mohammad Azam, S/o Sri Kazim,
R/o Village-Saliar Salhapur,
Tehsil-Roorkee, District-Haridwar. .....Petitioner.

Versus

1. State of Uttaranchal, through Secretary Panchayat Raj, Secretariat Dehradun.
2. Returning Officer/Collector, Haridwar, District-Haridwar.
3. Additional Returning Officer, Block – Roorkee, Tehsil-Rorkee, District-Haridwar.
4. Smt. Pinki, W/o Sri Bijendra,
   at present R/o Subhash Nagar Shafipur,
   Pargana and Tehsil-Roorkee, District-Haridwar.

.....Respondents.

Dated: 19.05.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Ajay Veer Pundir, Advocate for the petitioner and Standing Counsel for the respondents no. 1 to 3, Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents no. 1 to 3 not to hold election of Block Pramukh, Roorkee on 21.05.2006 as scheduled.

Since the election has already been notified and is scheduled to be held on 21.05.2006, therefore, such permission cannot be granted under Article 226/227 of the Constitution of India.

However alternatively, the petitioner has prayed that let his representation, which he has filed on 17.05.2006, be disposed of. In case the representation filed by the petitioner has not been disposed of, liberty is given to the petitioner to challenge the same in appropriate forum after the election is over.

Subject to the aforesaid, writ petition is dismissed. No order as to costs.

Copy of the order to be given today.

(Rajesh Tandon, J.)

19.05.2006
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